



Attorney Docket No.: LEE 2 00313

AMENDMENT TRANSMITTAL LETTER

Ser. No.: 10/727,384	Filed: December 4, 2003	Examiner: Daniel Jenkins
Art Unit: 1742	Title: COLLOIDAL SILICA BINDER SYSTEM	

To the Commissioner for Patents:

Transmitted herewith is an *Amendment* in the above-identified application. The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	63	Minus	63	0	X \$50	\$00.00
Indep. Claims	3	Minus	3	0	X \$200	\$0.00
TOTAL					=	\$00.00
<input checked="" type="checkbox"/>	No additional fee is believed due however, if this is not the case, the Commissioner is hereby authorized to charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.					
<input type="checkbox"/>	Payment for the filing of this Amendment and any appropriate extension of time fees are authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.					
<input type="checkbox"/>	Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a month extension of time to respond to the outstanding Office Action.					

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

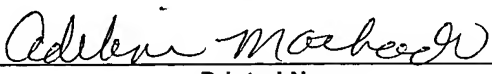
Date

BRIAN E. TURUNG, Reg. No. 35,394  
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216-861-5582

CERTIFICATE OF MAILING OR TRANSMISSION

I certify that this Amendment Transmittal Letter and accompanying documents are being

- ☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Express Mail Label No.:	Signature 
Date May 12, 2006	Printed Name Adeline Machado



IP

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Dallam, et al.  
For : COLLOIDAL SILICA BINDER SYSTEM  
Serial No. : 10/727,384  
Filed : December 4, 2003  
Examiner : Daniel J. Jenkins  
Group Art Unit : 1742  
Date of Last Action : March 24, 2006  
Our Docket : LEEE 2 00313

**SECOND AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the non-final Office Action mailed March 24, 2006, Applicants file a terminal disclaimer to overcome the double patenting rejection set forth by the Examiner. Applicants submit that with the filing of the terminal disclaimer, all the claims are in allowable form.

Respectfully submitted,  
FAY, SHARPE, ~~FAGAN~~ MINNICH & McKEE

By: 

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I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail,  
in an envelope addressed to Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450  
on 5-12-06

Aedine Machado  
(SIGNATURE)